



## FRONTIER COMMUNICATIONS TESTIMONY ON SENATE BILL 499

Thank you Chairman Horn and the members of Energy and Technology Committee for the opportunity to talk with you in regards to Senate Bill 499. Frontier Communications supports Senate Bill 499 in substance and offers a couple of suggestions to make it better.

Frontier Communications serves many communities where the existing 123 different rail trails pass. As Frontier invests in new facilities and as road and community infrastructure changes, Frontier is faced with building and moving telecommunications facilities and the high expense of such for both Frontier and the community. Rail trails provide a good alternative to moving telecommunications services in a community that has such an asset and seeks to minimize construction costs for Frontier and the community.

Frontier wishes to serve the local community with advanced services supported by a potential rail trail facility. As such, Frontier will need to get on and off the rail trail to service local customers. We are not looking at this opportunity to simply "pass by" the residents and business with the new telecommunications facility. Frontier recommends in Paragraph (1) Line 7 that language be added:

**"ON THAT LAND INCLUDING IGRESS AND EGRESS."**

This enables Frontier to back haul telecommunication facilities into the local communities many of these rail heads run through.

Once the telecommunications facilities are placed in the rail head, it is critical that Frontier have access to its facilities on a 7/24/365 basis for repair and maintenance. Critical customer transactions such as phone calls including 911, emails, data, and video maybe serviced on these facilities. As such access to the rail head cannot be restricted once telecommunications facilities are in place. Frontier recommends in Paragraph (1) (c) Line 14 that language be added:

**"ONCE FACILITIES ARE INSTALLED TELECOMMUNICATIONS PROVIDERS SHALL NOT BE DENIED ACCESS UNDER ANY CONDITIONS."**

Lastly, growth in the telecommunications market and supporting infrastructure is inevitable. To avoid confusion in the future as Frontier adds capacity to the infrastructure in the rail trail, additional use fees of 5 cents per foot should not apply. For example, Frontier would place a piece of conduit which has 4 divided ducts inside. Frontier would initially build the conduit and use one of the inner ducts for a piece of fiber optic cable and pay both the application fee and the 5 cent footage fee. When Frontier simply pulls additional fiber optic cable in the conduit, the application fee would apply, but not the 5 cent per foot fee. This is consistent with the METRO Act. Frontier recommends in Paragraph (1) (E) Line 20 that language be added:

**"IF TELECOMMUNICATIONS FACILITIES ARE PLACED IN THE SAME UNDERGROUND CONDUIT, NO FEE APPLIES."**